

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 16-22 and 24-35 are pending in the application subsequent to entry of this Amendment.

Claim 23, withdrawn from consideration as directed to non-elected subject matter, has been deleted in order to reduce issues.

The only substantive issue raised in the outstanding Official Action is the rejection of claim 16 (and the claims dependent from it) which includes the recitation of “geometric isomers”. Specifically, the examiner questions whether the application as filed contains an adequate written description of “geometric isomers” as used in claim 16. This is explained on page 3, second full paragraph of the current Official Action.

In order to progress examination, the term “geometric isomers” has been deleted from claim 16.

The Official Action also includes a provisional non-statutory obviousness-type double patenting rejection of the pending claims as being unpatentable over “the pertinent claims” of co-pending application Serial No. 10/501,135. On checking the relevant records, it has been determined that this application is still pending and is not in condition for allowance. As the present application will be in condition for allowance (subsequent to the entry and processing of this Amendment) it is requested the examiner withdraw this rejection and instead make the appropriate rejection in the related application if and when it is timely to do so. If the examiner has concerns as to the position of the present application and possible provisional obviousness-type double patenting issues, please contact the undersigned.

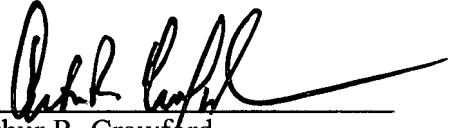
Reconsideration and allowance are solicited.

GIANNESSI et al.
Appl. No. 10/539,833
May 23, 2007

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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